



## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in California

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT).

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans).

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that relate to a proposed highway project, Binney Junction Underpass (UP) and Marysville UP replacement on State Route 70, in the City of Marysville, in Yuba County, in the State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions. A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before [Insert date 150 days after publication in the Federal Register]. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For Caltrans: Cara Lambirth, Branch Chief, Caltrans Office of Environmental Management, M-3, California Department of Transportation-District 3, 703 B Street, Marysville, CA 95901. Office Hours: 8:00 am – 5:00 pm, Pacific Standard Time, telephone (530) 741-4134 or email [cara.lambirth@dot.ca.gov](mailto:cara.lambirth@dot.ca.gov). For FHWA, contact David Tedrick at (916) 498-5024 or email [david.tedrick@dot.gov](mailto:david.tedrick@dot.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: Caltrans proposes to rehabilitate State Route 70 (SR 70) in Marysville, California, for approximately 0.9 miles (14.8 PM to 15.7 PM), including the replacement of Binney Junction Underpass (UP) and the Marysville UP. The project will provide complete streets elements, rehabilitate existing pavement, reduce future traffic congestion, improve operations and safety, and comply with current Caltrans, Union Pacific Railroad (UPRR), local and federal standards.

The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (FEA)/Finding of No Significant Impact (FONSI) for the project, approved on December 7, 2020, and in other documents in Caltrans' project records. The FEA, FONSI and other project records are available by contacting Caltrans at the addresses provided above, or can be viewed and downloaded from the project web site at: <https://dot.ca.gov/caltrans-near-me/district-3/d3-programs/d3-environmental-planning/d3-environmental-docs>.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. Council on Environmental Quality Regulations
2. National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 et seq.
3. Federal-Aid Highway Act of 1970, 23 U.S.C 109
4. MAP-21, the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141)
5. Clean Air Act Amendments of 1990 (CAAA)
6. Clean Water Act of 1977 and 1987

7. Federal Water Pollution Control Act of 1972 (see Clean Water Act of 1977 & 1987)
8. Federal Land Policy and Management Act of 1976 (Paleontological Resources)
9. Noise Control Act of 1972
10. Safe Drinking Water Act of 1944, as amended
11. Endangered Species Act of 1973
12. Executive Order 11990, Protection of Wetlands
13. Executive Order 13112, Invasive Species
14. Executive Order 13186, Migratory Birds
15. Fish and Wildlife Coordination Act of 1934, as amended
16. Migratory Bird Treaty Act
17. Water Bank Act Wetlands Mitigation Banks, ISTEA 1991, Sections 1006-1007
18. Wildflowers, Surface Transportation and Uniform Relocation Act of 1987 Section 130
19. Coastal Zone Management Act of 1972
20. Coastal Zone Management Act Reauthorization Amendments Of 1990
21. Executive Order 11988, Floodplain Management
22. Department of Transportation (DOT) Executive Order 5650.2 - Floodplain  
Management and Protection (April 23, 1979)
23. Rivers and Harbors Appropriation Act of 1899, Sections 9 and 10
24. Title VI of the Civil Rights Act of 1964, as amended
25. Executive Order 12898, Federal Actions to Address Environmental Justice and Low-  
Income Populations  
  
(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning  
and Construction. The regulations implementing Executive Order 12372 regarding  
intergovernmental consultation on Federal programs and activities apply to this  
program.)

Authority: 23 U.S.C. §139(l)(1)

Issued on: March 30, 2021.

Rodney Whitfield,  
Director,  
Financial Services,  
Federal Highway Administration,  
California Division.

[FR Doc. 2021-06856 Filed: 4/1/2021 8:45 am; Publication Date: 4/2/2021]